

w/b

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

<b>FILED</b>
DATE: <u>6-17-11</u> ✓
<u>5</u> o'clock <u>P.</u> M.
Sandra K Markham, Clerk
BY: <u>RHONDI HAGEN</u>
Deputy

DIVISION PRO TEM B

SANDRA K MARKHAM, CLERK

HON. WARREN R. DARROW

BY: R. Hagen/T. Brogdon, Deputy Clerks

CASE NO. V1300CR201080049

DATE: June 17, 2011

TITLE:  
STATE OF ARIZONA,

COUNSEL:  
Yavapai County Attorney  
By Sheila Polk  
Bill Hughes  
(Via OnBase)  
(For Plaintiff)

(Plaintiff)

v.

JAMES ARTHUR RAY,  
(Defendant)

Thomas K. Kelly  
(Via Electronic Mail)  
(For Defendant)  
and  
Luis Li/Brad Brian/Truc Do/Miriam Seifter  
MUNGER TOLLES & OLSON LLP  
(Via Electronic Mail)  
(For Defendant *Pro Hac Vice*)

HEARING ON:  
TRIAL – DAY 53

NATURE OF PROCEEDINGS

COURT REPORTER  
Mina Hunt

START TIME: 9:27 a.m.

APPEARANCES:

Sheila Polk, Counsel for State  
Bill Hughes, Co-Counsel for State  
Detective Ross Diskin, Case Agent  
James Arthur Ray, Defendant  
Tom Kelly, Counsel for Defendant  
Luis Li, *Pro Hac Vice* Counsel for Defendant  
Truc Do, *Pro Hac Vice* Counsel for Defendant  
Miriam Seifter, *Pro Hac Vice* Counsel for Defendant

The Court, Counsel, Detective Diskin, Defendant, and the Jury are present in the Courtroom.

Counsel for Defendant resumes closing argument.

The Jury is reminded of the admonition, excused for a recess and exits the Courtroom.

Court and Counsel discuss scheduling and estimates of time for deliberation.

~~~Recess~~~

At 11:00 a.m. Court reconvenes, all previously appearing parties and the Jury is present.

Counsel for Defendant resumes closing argument.

The Jury is reminded of the admonition, excused for the noon recess and exits the Courtroom.

Court addresses a Juror note. The Court directs that the un-redacted note be **sealed**. The Court will redact ✓  
identifying information from the note and provide the redacted note for the file.

~~~Noon Recess~~~

At 1:25 p.m. the trial reconvenes with all previously appearing parties and the Jury present.

Counsel for Defendant resumes closing argument.

The Jury is reminded of the admonition, excused for a recess and exits the Courtroom.

~~~Recess~~~

At 2:47 p.m. the trial reconvenes with all previously appearing parties present. The Jury is not present.

Court and Counsel discuss scheduling. Counsel for State requests to release the Jury upon Counsel for Defendant completing closing argument today to return on Tuesday.

~~~ Recess~~~

At 2:52 p.m. the trial reconvenes with all previously appearing parties and the Jury present.

Counsel for Defendant resumes closing argument.

The Jury is reminded of the admonition. The Court discusses scheduling and excuses the Jury until Tuesday June 21, 2011 at 9:15 a.m.

~~~ Recess~~~

At 3:36 p.m. the trial reconvenes with all previously appearing parties present. The Jury is not present.

Court and Counsel discuss demonstrative exhibits used during Counsel for Defendant's closing argument. Counsel for Plaintiff advises a request was made to Counsel for Defendant that the exhibits be allowed to remain in the Courtroom to be used by the State during closing arguments. Counsel argue their positions.

The Court advises it preserves the status quo. The exhibits will remain in the Court and will not be taken away until further order.

The Court stands adjourned for the day.

**END TIME: 3:39 p.m.**

cc: Gallagher & Kennedy, P.C., Counsel for Shore Family (e)  
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)  
Stone & Magnanini, Co-Counsel Brown Family (e)  
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)  
Steptoe & Johnson, Counsel for KPNX Broadcasting Company, TruTV and In Session (e)  
Perkins, Coie, Brown & Bain, Counsel KTVK-TV (e)  
Division PTB (e)  
Victim Services (e)  
Court Administration  
Customer Service Supervisor, Camp Verde Superior Court Building